

House File 185 - Introduced

HOUSE FILE _____
BY JACOBY

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the criminal offense of interference with
2 official acts.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2028YH 83
5 jm/nh/14

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1 1 Section 1. Section 719.1, subsections 1 and 2, Code 2009,
1 2 are amended to read as follows:
1 3 1. A person who knowingly resists or obstructs anyone
1 4 known by the person to be a peace officer, emergency medical
1 5 care provider under chapter 147A, or fire fighter, whether
1 6 paid or volunteer, in the performance of any act which is
1 7 within the scope of the lawful duty or authority of that
1 8 officer, emergency medical care provider under chapter 147A,
1 9 or fire fighter, whether paid or volunteer, or who knowingly
1 10 resists or obstructs the service or execution by any
1 11 authorized person of any civil or criminal process or order of
1 12 any court, commits a simple misdemeanor. In addition to any
1 13 other penalties, the punishment imposed for a violation of
1 14 this subsection shall include assessment of a fine of not less
1 15 than two hundred fifty dollars. However, if a person commits
1 16 an interference with official acts, as defined in this
1 17 subsection, ~~and in so doing inflicts which results in~~ bodily
1 18 injury ~~other than serious injury~~, that person commits an
1 19 aggravated misdemeanor. If a person commits an interference
1 20 with official acts, as defined in this subsection, ~~and in so~~
~~1 21 doing inflicts or attempts to inflict which results in~~ serious
1 22 injury, or displays a dangerous weapon, as defined in section
1 23 702.7, or is armed with a firearm, that person commits a class
1 24 "D" felony.

1 25 2. A person under the custody, control, or supervision of
1 26 the department of corrections who knowingly resists,
1 27 obstructs, or interferes with a correctional officer, agent,
1 28 employee, or contractor, whether paid or volunteer, in the
1 29 performance of the person's official duties, commits a serious
1 30 misdemeanor. If a person violates this subsection and in so
1 31 doing commits an assault, as defined in section 708.1, the
1 32 person commits an aggravated misdemeanor. If a person
1 33 violates this subsection and ~~in so doing inflicts or attempts~~
~~1 34 to inflict the violation results in~~ bodily injury ~~other than~~
~~1 35 serious injury~~ to another, displays a dangerous weapon, as
2 1 defined in section 702.7, or is armed with a firearm, the
2 2 person commits a class "D" felony. If a person violates this
2 3 subsection and uses or attempts to use a dangerous weapon, as
2 4 defined in section 702.7, or ~~inflicts the violation results in~~
2 5 serious injury to another, the person commits a class "C"
2 6 felony.

EXPLANATION

2 8 This bill relates to the criminal offense of interference
2 9 with official acts.

2 10 The bill provides that a person commits the offense of
2 11 interference with official acts if the violation results in
2 12 bodily or serious injury to a peace officer, emergency medical
2 13 care provider, correctional officer, or other member of a
2 14 protected class under Code section 719.1.

2 15 Current law provides that a person commits the offense of
2 16 interference with official acts if the person inflicts or
2 17 attempts to inflict bodily or serious injury.

2 18 Under the bill, if a person commits interference with
2 19 official acts that results in bodily injury to a member of a
2 20 protected class, the person commits an aggravated misdemeanor

2 21 if the injury is to a peace officer or emergency medical
2 22 officer, or a class "D" felony if the injury is to a
2 23 correctional officer.
2 24 If a person commits interference with official acts that
2 25 results in serious injury, the person commits a class "D"
2 26 felony if the injury is to a peace officer or emergency
2 27 medical officer, or a class "C" felony if the injury is to a
2 28 correctional officer.
2 29 LSB 2028YH 83
2 30 jm/nh/14